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SUBJECT: SSGT CARPENTIER AND LCPL SMITH REQUEST PERMISSION TO BE
INTERVIEWED BY ASSOCIATED PRESS TV

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11. This is an action request - see para 6.

12. Summary. Two of the four U.S. Marines currently awaiting the November 27 verdict on charges of raping a Filipina in Subic in November 2005, SSGT Carpentier and LCPL Smith, have requested Embassy's permission to grant a television interview to Associated Press TV on the subject of their trial. These two Marines have already given several interviews to Philippines media organizations under our usual procedures regarding such interviews, but this is the first time they have sought permission for a U.S. media contact. Embassy Manila therefore requests guidance from relevant Washington agencies as to whether permission should be granted. USG personnel in the Philippines under Chief of Mission authority, as we understand the Marines to be given their current TDY status, are required to obtain permission from the Department prior to granting interviews to U.S. news media. We also request that III MEF and Defense Department provide an opinion on the appropriateness and advisability of granting this request. See action request in paragraph 6. End Summary.

13. SSGT Chad Carpentier and LCPL Daniel Smith submitted the following memorandum to Mission leadership on November 8:

Begin text.

a. On 15 November 2006 at the US Embassy in Manila, we desire to grant a television interview to Tess Cerojano of The Associated Press.

b. We have consulted with our defense counsel and have been advised of the pros and cons of speaking with the media. After carefully considering the advice of our defense counsel we have made the informed decision to grant the above-mentioned interview.

c. We understand that during this interview, we may not appear in uniform and we may only speak on our own behalf and not in our capacity as Marines.

End text.

14. SSGT Carpentier and LCPL Smith simultaneously submitted three additional requests to conduct interviews with Philippines news organizations. Consistent with past practice, they have been granted permission under the Mission's usual guidelines (para 5) to do an interview with GMA-7 and a television interview with ABS-CBN, the two leading television networks in the Philippines. These interviews will likely take place later this month, shortly prior to the scheduled announcement of a verdict in their case. The request to do an additional hour-long, live interview at the ABS-CBN studios in Quezon City was denied, and the Marines were informed that

off-site interviews could not be supported for logistical and security reasons by Mission staff.

15. The Marines have been informed that the conditions stipulated by III MEF and the Mission for giving interviews are that:

- You may speak on your own behalf, not in your capacity as a member of the U.S. Marine Corps;
- You must wear civilian clothes during the interview;
- You may not claim to represent the U.S. Government or the U.S. Embassy or speak about official U.S. policy;
- You may not discuss the merits of the Visiting Forces Agreement and the "right" of the Philippines for jurisdiction and/or custody in cases that fall under the VFA;
- You may not discuss details relating to your quarters at the Embassy or any other details about the Embassy that could affect Embassy security;
- You may not discuss your relations with or the job responsibilities of Embassy employees; and
- All logistical arrangements must be in accordance with recommendations from the Embassy's Regional Security Office and General Services Office to maximize safety and convenience.

16. ACTION REQUEST - Standing procedures worldwide require all U.S. Mission staff and personnel under Chief of Mission authority to request Department concurrence in advance of giving on-the-record interviews to U.S. news organizations. We request Department views on this request by SSGT Carpentier and LCPL Smith. Additionally, we seek the views of III MEF and the Department of Defense on this subject. Interviews with local Philippine media could contribute to a favorable impression of the accused U.S. Marines in advance of the anticipated Nov 27 verdict. The potential contribution of interviews with U.S. or international media to the case of the four enlisted Marines is less obvious to us. As both men and the news organization are eager to carry out this interview, and given that the announcement of a verdict in this case is expected in less than two weeks time, we request your urgent attention to their request.

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